



Project #16-022
Nelson Farms Rezone
Located at 2352 South Hwy 89/91

REPORT SUMMARY...

Project Name: Nelson Farms Rezone
Proponent/Owner: Allen Bingham/Wesley Nelson Farms Inc.
Project Address: 2352 South Hwy 89/91
Request: Rezone portion to MR-20
Current Zoning: Resource Conservation (RC)
Date of Hearing: May 26, 2016
Type of Action: Quasi-Judicial
Submitted By: Amber Pollan, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend **Denial** to the Municipal Council for a Rezone of approximately 32 acres of property located east of the proposed Heritage Drive extension at 2352 South Highway 89/91 from Resource Conservation (RC) to Mixed Residential Medium (MR-20).

Land use adjoining the subject property

| | | | |
|---------------|--|--------------|---|
| <i>North:</i> | Resource Conservation (RC): Agricultural and Residential Uses, Hwy 89/91/ Nibley City | <i>East:</i> | Nibley City COM, R-2A: Commercial and townhouse residential uses, single family residential use |
| <i>South:</i> | RC: agricultural uses, 2600 S./ Nibley City Park/School, R-2A: stormwater detention, ag uses | <i>West:</i> | RC: Agricultural and residential uses, Hwy 89/91 |

Request

The proponent is requesting to rezone approximately 32 acres of property from RC to MR-20. There is a stub road for a future alignment of Heritage Drive on the northeast part of this property. There are approximately 20.6 acres between the Highway and Heritage Drive alignment that is not proposed to be changed at this time. The purpose of the rezone is to be able to subdivide and develop this area as a medium density, mixed residential development.

Background

There is a residence and agricultural buildings on the northern portion of the property, near the highway, that were established as early as 1910. The property has been farmed for decades and filed a proposal to be an Agricultural Protection Area, which was approved by resolution of the Cache County Council in July 2001.

The property was annexed into Logan City in October 2007 as part of approximately 300 acres that petitioned for annexation from the County. The property was zoned AG- Agricultural from time of annexation until 2011 when the Land Development Code was amended to include the RC- Resource Conservation designation.

The RC- Resource Conservation zoning designation includes lands that are intended to be protected from development such as highly productive agricultural lands, areas of high visual value (i.e. views and view corridors), and critical environmental resources. The RC zone is also intended, in a limited context, as a holding zone for those lands annexed but not yet planned for future development consistent with City standards for residential and commercial projects. Uses allowed on these lands must be consistent with uses in adjacent, undeveloped areas and environmental constraints.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as RRA- Rural Reserve Area. The purpose of areas with this designation is to provide a rural separation between the City of Logan and other incorporated communities. These areas may be suitable for low density development that preserves significant portions in agricultural or open space use. New residential development should be limited and clustered to preserve open space away from arterial frontages. The zoning designation of MR-20 is a medium density district and allows for density and intensity of development that is not typical to areas that are adjacent or include rural and agricultural lands. This rezone would not be consistent with the General Plan.

ZONING

The request is for a rezone to the MR-20 zone for the area between 2600 South, 1200 West, Nibley City development, and the future Heritage Drive. The remaining area between Heritage Drive and Highway 89/91 would remain RC at this time.

The MR-20 zone is intended to provide a range of housing options for all stages of life and levels of income. MR-20 areas are to be located near employment centers and service areas allowing residents to be within walking distance of many services and/or jobs, and where transportation choices are (or will be) available. This form of housing contributes to the efficient, sustainable development of the city, which preserves the open lands surrounding Logan and minimizes traffic congestion.

This area does not currently meet the intent of the MR-20 zone. The area is adjacent to a small commercial node but may not be suitable for development or a medium density mixed development. Adjacent single family residential development is at approximately 1/3 acre lots and includes a conservation easement subdivision. The R-2A zoning in Nibley allows for single and two-family developments with minimum lot sizes of 12,000 sf. There is an existing townhouse development that is approximately 10 units an acre that transitions to single family residential. The MR-20 zoning would allow for a mix of housing from single family residences to apartments at up to 20 units per acre. The approximate 32 acres could build out to 640 units. This is an intensity that is not suitable to the agricultural nature of the neighborhood.

The area is part of the Cache Valley South Corridor Development Plan. The Plan indicated areas that may be appropriate for nodes of development as areas start to warrant traffic signals on Highway 89/91. The 3200 South and 1000 West intersections warrant lights at this time and UDOT spacing guidelines intend for one light to go between those intersections. 2200 South or 2600 South were considered as possibilities. The Plan indicates that a light going in at one of those locations, or another within that stretch of highway, may be appropriate for a small node of commercial development. The Plan also promotes maintaining quality agricultural areas along the highway corridor, separations between communities, and controlled development. As there is not an area set for the future node, it is not appropriate to make zone changes at this time. The MR-20 is an intensive zone that is not consistent with the surrounding area.

PUBLIC NOTICE

Public notice regarding this zone change request was mailed to property owners within 300' of the subject property on May 9, 2016. A quarter page ad was published in the Herald Journal on May 8, 2016 and legal notice published on May 12, 2016. The public notice was posted on the Utah Public Meeting Notice Website on May 16, 2016.

PUBLIC COMMENTS

As of the time the staff report was prepared, there have been some inquiries into the project and the Commission received a letter in opposition from the Neighborhood Nonprofit Housing Corporation. The organization has developed a conservation easement subdivision east of this property, in Nibley City, and does not believe the proposed zoning is compatible with the area.

AGENCY AND CITY DEPARTMENT COMMENTS

The project was reviewed by Logan City Departments and other local agencies. The only comment on the project had to do with utilities. There is not water supply to the area, nor Logan City power or sewer services within approximately a third of mile of the site. Utilities would have to be extended to the site and at adequate sizes to the serve the proposed development.

RECOMMENDED FINDINGS FOR DENIAL

The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The location of the subject property is not compatible with the purpose of the Rural Resource Conservation General Plan designation in the Future Land Use Plan.
2. The subject property is not a suitable location for all of the permitted uses within the MR-20 zoning district.
3. The subject property, when used for the permitted uses in the MR-20 zoning district, would be incompatible with the adjoining land uses or the purpose of adjoining zoning districts.
4. Long-range planning documents that include the area indicate a development node in the vicinity of this property. This should be coordinated with development in the area.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



APPLICATION FOR PROJECT REVIEW

☒ Planning Commission ☐ Land Use Appeal

Board ☐ Administrative Review

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|--|-------------------------------|----------------------|--|--|
| Date Received 04/25/2016 | Received By Apreida | Receipt Number | Zone RC | Application Number PC 16-022 |
| Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____ | | | | |
| PROJECT NAME NELSON FARMS REZONE | | | | |
| PROJECT ADDRESS 2352 SOUTH HIGHWAY 89-91 | | | COUNTY PLAT TAX ID # 03-007-0019 | |
| AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) ALLEN BINGHAM | | | MAIN PHONE # 801-243-7800 | |
| MAILING ADDRESS 1497 No. 125 EAST | CITY LAYTON | STATE UTAH | ZIP 84041 | |
| EMAIL ADDRESS ALBINGHAM@Q.COM | | | | |
| PROPERTY OWNER OF RECORD (Must be listed) WESLEY NELSON FARMS INC | | | MAIN PHONE # 801-243-7800 | |
| MAILING ADDRESS 1497 No. 125 EAST | CITY LAYTON | STATE UTAH | ZIP 84041 | |
| EMAIL ADDRESS ALBINGHAM@Q.COM | | | | |
| DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) PARCEL 03-007-0019 TO BE REZONED. THE FRONTAGE LOCATED ON 2352 SOUTH WOULD REMAIN RURAL FOR THE TIME BEING. HERITAGE DRIVE WOULD PASS THROUGH THE PROPERTY. THE PROPERTY LOCATED ON THE WEST OF HERITAGE DRIVE WOULD BE ZONED MR20. THE PROPERTY OWNERS WOULD THEN WORK TO PROVIDE AN ACCEPTABLE DESIGN REVIEW. NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL. | | | Total Lot Size (acres) 54.87 | |
| | | | Size of Proposed New Building (square feet) N/A | |
| | | | Number of Proposed New Units/Lots TBD - IN DESIGN REVIEW | |
| I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner. | | | Signature of Property Owner's Authorized Agent | |

Council workshop: June 7
Council hearing: June 21

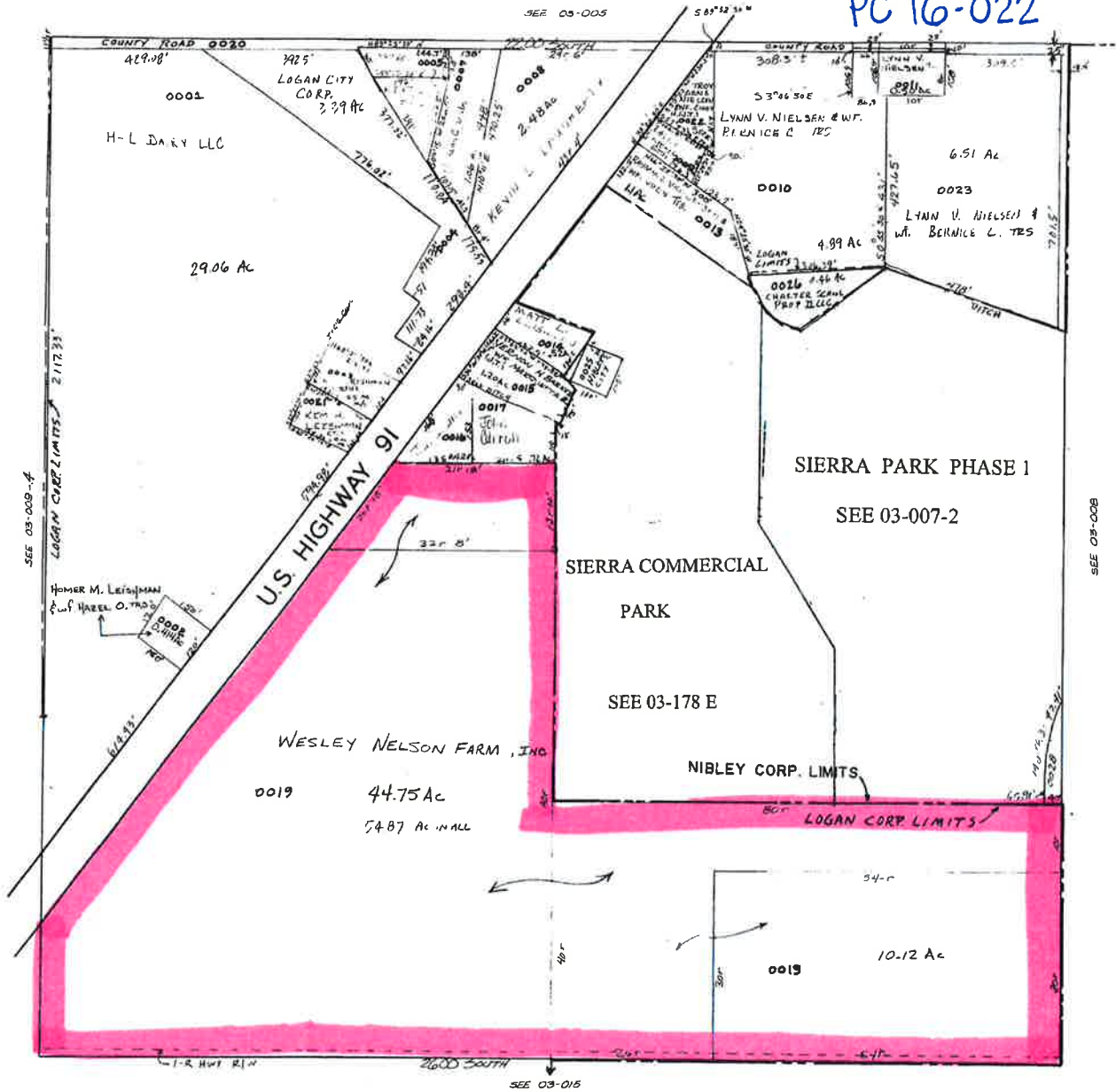
SW⁴ Section 17 Township 11 North Range 1 East

Scale 1 Inch = 3 CHAINS

39
007
-1-

TAX UNIT 928, 034

PC 16-022



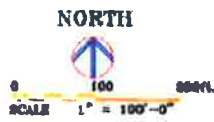
PART OF
TOWNSHIP
SALT LAKE
PRC

A vicinity map showing the project site location. The map includes a grid of streets and a diagonal road. A red-shaded area is labeled "PROJECT SITE". A line points from the text "PROJECT SITE" to this area. Other labels include "VICINITY MAP", "2000 S", and "2000 E".



TOWN MEADOWS

THE SW¼ OF SECTION 17,
T11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE & MERIDIAN
PROPOSED ZONING



SOUTHTOWN MEADOWS
PART OF THE SW¼ OF SECTION 17,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE & MERIDIAN
PROPOSED ZONING

| | |
|-----------------|-----------------------|
| SCALE | DATE |
| DRAWN BY BOL | 4-2016 |
| | DRAWING NORTH-0106 |

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ENGINEERS**
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LOGAN, UT 84301
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OF